

10/04/04

1648
Rfw

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6 pages +
2 refs.

Application Number

09/904,782

Filing Date

July 13, 2001

First Named Inventor

Suresh K. TIKOO

Art Unit

1648

Examiner Name

L. Scheiner

Attorney Docket Number

293102002900

ENCLOSURES (Check all that apply)

Fee Transmittal Form

Fee Attached

Amendment/Reply

After Final

Affidavits/declaration(s)

Extension of Time Request

Express Abandonment Request

Information Disclosure Statement
(Supplemental) - 3 pages

Certified Copy of Priority
Document(s)

Response to Missing Parts/
Incomplete Application

Response to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)

Licensing-related Papers

Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation
Change of Correspondence Address

Terminal Disclaimer

Request for Refund

CD, Number of CD(s) _____

After Allowance communication
to Technology Center (TC)

Appeal Communication to Board of
Appeals and Interferences

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information

Status Letter

Other Enclosure(s) (please
Identify below):

Form PTO-1449 + copy - 2 pages
Two (2) reference
Return Receipt Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

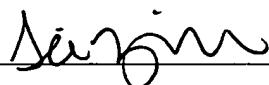
Firm or Individual name	MORRISON & FOERSTER LLP Debra J. Glaister - 33,888	(Customer No. 25226)
Signature		
Date	October 1, 2004	

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 335368385 US, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

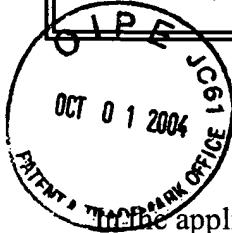
Dated: October 1, 2004

Signature:
(Tia B. Zimmerman)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 335368385 US, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 1, 2004 Signature:  (Tia B. Zimmerman)

PATENT
Docket No. 293102002900



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

the application of:

Suresh K. TIKOO

Serial No.: 09/904,782

Filing Date: July 13, 2001

For: ADENOVIRUS VECTORS
COMPRISING INTRONS

Examiner: L. Scheiner

Group Art Unit: 1648

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97**

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

The documents listed on the attached Form PTO-1449 were cited in an European Office Action mailed on July 22, 2004 directed to a related international application and were not previously submitted. A certification under 37 C.F.R. § 1.97(e)(1) follows:

I hereby certify that each item of information was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement.

This Supplemental Information Disclosure Statement is submitted:

- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - A fee is required. A check in the amount of is enclosed.
 - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of is enclosed.
 - A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been

made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 293102002900. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 1, 2004

Respectfully submitted,

By:



Debra J. Glaister
Registration No. 33,888

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5725
Facsimile: (650) 494-0792

OCT 01 2004

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number 293102002900	Application Number 09/904,782
	Applicant Suresh K. TIKOO	
	Filing Date July 13,2001	Group Art Unit 1648
	Mailing Date October 1, 2004	

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

OTHER DOCUMENTS*(including author, title, Date, Pertinent Pages, Etc.)*

Examiner Initials	Ref. No.	Title
	1.	Berkner, K. L. et al. (1985). "Effect of the Tripartite Leader on Synthesis of a Non-Viral Protein in an Adenovirus 5 Recombinant," <i>Nucleic Acids Research</i> 13(3):841-857.
	2.	European Office Action mailed on July 22, 2004 for European Patent Application No. 01958284.0, 5 pages.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.